S. HRG. 102–97

NOMINATION OF JOHN A. HAMMERSCHMIDT

HEARING

BEFORE THE

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION UNITED STATES SENATE

ONE HUNDRED SECOND CONGRESS

FIRST SESSION

ON

JOHN A. HAMMERSCHMIDT, TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD

MAY 16, 1991

Printed for the use of the Committee on Commerce, Science, and Transportation

U.S. GOVERNMENT PRINTING OFFICE

44–829 WASHINGTON : 1991

For sale by the Superintendent of Documents, Congressional Sales Office
U.S. Government Printing Office, Washington, DC 20402

5261-51

COMMITTEE ON COMMERCE, SCIENCE, AND TRANSPORTATION

ERNEST F. HOLLINGS, South Carolina, *Chairman*

DANIEL K. INOUYE, Hawaii
WENDELL H. FORD, Kentucky
J. JAMES EXON, Nebraska
AL GORE, Tennessee
JOHN D. ROCKEFELLER IV, West Virginia
LLOYD BENTSEN, Texas
JOHN F. KERRY, Massachusetts
JOHN B. BREAUX, Louisiana
RICHARD H. BRYAN, Nevada
CHARLES S. ROBB, Virginia

JOHN C. DANFORTH, Missouri
BOB PACKWOOD, Oregon
LARRY PRESSLER, South Dakota
TED STEVENS, Alaska
ROBERT W. KASTEN, JR., Wisconsin
JOHN McCAIN, Arizona
CONRAD BURNS, Montana
SLADE GORTON, Washington
TRENT LOTT, Mississippi

KEVIN G. CURTIN, *Chief Counsel and Staff Director*
WALTER B. MCCORMICK, JR., *Minority Chief Counsel and Staff Director*

CONTENTS

	Page
Opening statement of Senator Ford	1
Opening statement of Senator Hollings	3
Opening statement of Senator Pressler	3
Opening statement of Senator Pryor	3

LIST OF WITNESSES

Bumpers, Hon. Dale, a U.S. Senator from Arkansas	2
Hammerschmidt, John A., nominee to be a Member of the National Transportation Safety Board	4
Biographical data	5
Questions of the Chairman and the answers thereto	5

NOMINATION OF JOHN A. HAMMERSCHMIDT TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD

THURSDAY, MAY 16, 1991

U.S. SENATE,
COMMITTEE ON COMMERCE, SCIENCE,
AND TRANSPORTATION,
Washington, DC.

The committee met, pursuant to notice, at 2:40 p.m. in room SD–253, Russell Senate Office Building, Hon. Wendell H. Ford, presiding.

Staff members assigned to this hearing: Carol Carmody and Becky Kojm, professional staff members; and Leslie Blosse, minority professional staff member.

OPENING STATEMENT BY SENATOR FORD

Senator FORD. Senator Bumpers, have you gone over your statement yet? Do you know what you are going to say? That's the reason why I am late so I can give you time to do that.

Senator BUMPERS. I would have probably gotten the same attention if I had done it before you got here, Mr. Chairman. [Laughter.]

Senator FORD. This afternoon I am pleased to welcome Mr. John A. Hammerschmidt, who has been nominated for a 5-year term at the National Transportation Safety Board. The NTSB is a critical agency whose work affects all modes of transportation. The recent series of tragic airline accidents has reminded us lately of the importance and difficulty of the job of the NTSB members and staff who must sift through the wreckage trying to determine the cause of the accident. It is a great responsibility of the Commerce Committee to assure that qualified and capable people are confirmed to serve on the Board.

Mr. Hammerschmidt has already spent 6 years at the Board working as a Special Assistant to one of the Board members. He has worked on several accident investigations including the recent Los Angeles crash. He received an undergraduate degree from Dartmouth College and attended the Harvard Business School. He is a native of Arkansas where he was CEO of a company before coming to Washington.

I look forward to Mr. Hammerschmidt's statement and responses to a few questions. And I also wish to welcome my good friend, Senator Dale Bumpers, who is here to introduce the nominee. Senator Bumpers, you may proceed.

STATEMENT OF HON. DALE BUMPERS, A U.S. SENATOR FROM ARKANSAS

Senator BUMPERS. Thank you very much, Mr. Chairman.

Mr. Chairman, I am honored to be here today to introduce one of our outstanding citizens. John Arthur Hammerschmidt comes from an outstanding north Arkansas family that had a family business, a lumber business, that was 79 years old when it was sold in 1983. It was a very reputable business, which incidentally, John Arthur ran for some period of time.

While he was a citizen of north Arkansas running that business, he did all the things that the rest of us do. He served on the Chamber of Commerce, the Rotary Club, and did the things that good citizens do to make their communities a better place in which to live. So, his citizenship credentials, I guess you could say, are impeccable.

Subsequent to that time he spent running the family business, he served as an assistant to the Vice President, George Bush, at the White House for about 4 months in 1984. In April 1985, he became a Special Assistant to the Chairman of the National Transportation Safety Board, Jim Burnett, also another distinguished Arkansan. And John Arthur served as a Special Assistant to Jim Burnett, the chairman, for 3 years. When Mr. Burnett stepped down as chairman and became a Board member, John Arthur served as a Special Assistant to Jim Burnett from that time until the time Burnett left the Board.

He is a Dartmouth graduate. He attended Harvard and studied in the MBA program there for about a year until he left to go home to run the family business. And he has, I guess you'd say, audited courses at Georgetown University. So, he is an intellectually curious fellow which is important for somebody who is trying to improve himself and is always willing to learn.

Mr. Chairman, he comes from very good stock. As you all know, he is Congressman Hammerschmidt's son. John Paul has talked to me about him a number of times. He is immensely proud of him.

My No. 1 son who practiced law for a long time and is still practicing law, got tired of being asked if he was Senator Bumpers' son. He went in the chocolate chip cookie business and started making quite a name for himself. And now I get asked quite often if I am Brent Bumpers' father. I expect the same thing will happen with John Paul and John Arthur somewhere down the road.

But it is an honor for me and I am privileged and pleased to introduce him to this committee, Mr. Chairman. And with that, I would also like to offer a statement on behalf of my distinguished colleague, Senator Pryor, who obviously could not be here today. I ask that it also be made a part of the record.

Senator FORD. Without objection, the statement of Senator Pryor will be included in the record as if given.

Senator BUMPERS. I'll turn him over to your tender mercies at this point, Mr. Chairman.

Senator FORD. You know I'm tender, no mercy, but tender. [Laughter.]

OPENING STATEMENT BY SENATOR PRYOR

Mr. Chairman, I regret that I am unable to be there today to personally add my endorsement of the nomination of John Arthur Hammerschmidt to the National Transportation Safety Board. Please do not interpret my absence as a measure of my support for John Arthur, because I believe him to be especially qualified for this position.

John Arthur comes from a prominent political family in my State. As you know, his father, John Paul, has represented the Third Congressional District in the House of Representatives with great distinction for the past 25 years. John Paul and I came to the House of Representatives together, along with another freshman Congressman named George Bush.

He comes from good stock, Mr. Chairman, and he has proven himself as Special Assistant to the Chairman of the National Transportation Safety Board from April 1985 to August 1988 and as Special Assistant to a Board member from August 1988 to May of this year. John Arthur has literally been on the front lines of the work of NTSB for the past 6 years.

There will be no need for orientation or briefings. John Arthur Hammerschmidt will walk into the boardroom with a working, hands-on knowledge of the mission and responsibilities of the National Transportation Safety Board.

While it is easy to stand up for a nominee to an important Federal post for someone from my State, I am especially proud to do so for a native son who is as qualified for a position as John Arthur Hammerschmidt is for this one. I urge his swift confirmation.

Senator FORD. We have with us Senator Pressler. Senator, do you have any statements you would like to make?

OPENING STATEMENT BY SENATOR PRESSLER

Senator PRESSLER. I want to welcome this nominee. I think he is very well qualified. His father was a friend of mine when I served in the U.S. House of Representatives. In fact, I just spent some time with his father.

I am very concerned about the safety issues that will face our country. I think we are lucky to have a person with business experience and a masters degree in business bringing some business-like approach to some of these reports that we get on safety.

I just want to welcome you here and say I think we are lucky to have you serving in Government.

Mr. HAMMERSCHMIDT. Thank you, Senator.

Senator FORD. Thank you very much. Mr. Hammerschmidt, you may proceed with your statement. Mr. HAMMERSCHMIDT. Thank you, Mr. Chairman.

OPENING STATEMENT BY SENATOR HOLLINGS

The CHAIRMAN. Today, the committee will consider the nomination of John A. Hammerschmidt to be a member of the National Transportation Safety Board. He has been nominated to replace Jim Burnett, whose term has expired.

Every time there is an accident involving transportation, we all look to the NTSB to investigate the circumstances surrounding the tragedy and develop means to prevent future occurrences. Its ex-

pertise and independence also allow it to provide a unique voice in explaining the reasons for a tragedy, whether it be through recommendations to a regulatory agency or in testimony before this committee. The agency's ability to respond immediately is critical to its mission. A full complement of members is important to that end.

Mr. Hammerschmidt has served as a special assistant at the NTSB since April 1985. He has worked on a number of accident investigations, including the recent tragedy in Los Angeles in which 34 people died in the collision of two aircraft. We are awaiting the recommendations of the NTSB in that case. Mr. Hammerschmidt also has firsthand knowledge of accident issues raised in other transportation accidents, including railroad derailments, bus crashes, bridge collapses, and pipeline disasters. I thus am interested in the perspective that the nominee can bring to the Board as a member.

Mr. Hammerschmidt, I look forward to your comments today.

STATEMENT OF JOHN A. HAMMERSCHMIDT, NOMINEE TO BE A MEMBER OF THE NATIONAL TRANSPORTATION SAFETY BOARD

Mr. HAMMERSCHMIDT. Mr. Chairman and members of the committee, I am very honored to appear before you today as you consider my nomination to be a member of the National Transportation Safety Board.

I wish to thank the President for nominating me and I wish to thank the committee for scheduling this hearing so promptly. I wish to also thank Senator Bumpers for his gracious introduction and Senator Pryor for his message of support. If confirmed, I look forward to working with the members of this committee as we all seek to improve transportation safety.

The position of Board Member is one of important responsibility and one of great opportunity. Board Members are responsible for finding the cause of transportation accidents and then determining how best to prevent such accidents from recurring. In that pursuit, Board Members have the opportunity to perform a significant public service.

For the past 6 years I have served as Special Assistant to a member of the Safety Board and have had the privilege of working with some of the most skilled, dedicated, and committed professionals that there are in the Federal Government. Let me say that it is very easy to become committed to improving transportation safety once you have viewed death and destruction up-close at an accident site.

The traveling public deserves the clear assurance that the Government is acting in such a way that will aggressively seek out the causes of transportation accidents and will take the appropriate measures to correct whatever factors are found to have caused or contributed to those accidents. And the public also needs the clear assurance that the Government's investigations are conducted fairly, competently, and efficiently. Such has been the tradition at the Safety Board and, if confirmed, I will do my best to continue that tradition.

That concludes my opening statement and I would be glad to answer any questions that you may have.

[The biographical data and prehearing questions and answers of Mr. Hammerschmidt follow:]

BIOGRAPHICAL DATA

Name: Hammerschmidt, John Arthur; home address: 1200 N. Veitch St., #226; business address: 800 Independence Ave., S.W., room 820, Washington, DC 20594.

Position to which nominated: Member, National Transportation Safety Board; date of nomination: April 23, 1991.

Date of birth: May 30, 1949; place of birth: Harrison, AR.

Marital status: single.

Education: Harvard Business School, 1973–74; Dartmouth College, 1967–71, A.B., 1971; Woodberry Forest School, 1964–67.

Employment record: April 1985–May 1991—NTSB, Washington, DC, Special Assistant; September 1984–November 1984—Reagan-Bush 1984, Baton Rouge, LA, Field Coordinator; January 1984–April 1984—Office of the Vice President, Washington, DC, Staff Assistant; July 174–December 1983, Hammerschmidt Lumber Co., Inc.—Harrison, AR, Chief Executive Officer and Secretary-Treasurer (also, from May 1979 to December 1983 was the President of Farmers Lumber Co., Inc., Harrison, AR, a wholly owned subsidiary of Hammerschmidt Lumber Co., Inc.); August 1973, Hammerschmidt Lumber Co., Harrison, AR, general duties; January 1973–March 1973—Harrison Federal Savings & Loan Association, Harrison, AR, appraiser; April 1972–June 1972, Coalition for Rural America, Washington, DC, research assistant; and June 1971–August 1971, Hammerschmidt Lumber Co., Harrison, AR, general duties.

Government experience: April 1985–May 1991, NTSB Special Assistant; and June 1984–April 1984, Office of Vice President George Bush, Staff Assistant.

Political affiliations activities: September 1984–November 1984, field coordinator; elected as Alternate Delegate to 1984 Republican National Convention; have been an active participant in several of father's successful campaigns for U.S. Congress.

Memberships: Served on the board of directors of the following organizations: Boone County (Arkansas) Industrial Development Corporation (also served as vice president and as president); Mid-America Lumbermen's Association; Arkansas Lumber and Building Materials Dealers Association; Harrison (Arkansas) Rotary Club; and United Way of Boone County.

Honors and awards: Performance awards at the NTSB: received a "Quality Step Increase in Recognition of Outstanding Performance" in 1990, 1989, 1988, and 1986; at Dartmouth College: selected for and completed History Honors Program; graduated "With Highest Distinction" in history; Rufus Choate Scholar; Dean's List Student; awarded varsity letters in wrestling.

Published writings: None.

QUESTIONS OF THE CHAIRMAN AND THE ANSWERS THERETO

Question 1. What experience, attributes, and education do you possess which you believe qualify you to serve as a member of the National Transportation Safety Board (NTSB)?

Answer. In terms of experience, from April 1985 to May 1991, I have served as Special Assistant to a member of the NTSB. Consequently, for the past 6 years I have been immersed in the real world of transportation-accident investigation. From being on-scene with the NTSB go-team at numerous accident sites, to being at the Board meetings in Washington where the final accident reports are adopted, I have been involved in the overall investigative process of a considerable number of accidents in all modes of transportation.

In terms of attributes, I believe that I have a perspective which is consistent with the NTSB's basic mandate of conducting "independent" accident investigations and formulating safety recommendations to improve transportation safety. My only bias would be toward insistence on objective, thorough, competent, and efficient accident investigation.

In terms of education, during my tenure at the NTSB I have completed numerous specialized training courses specifically applicable to transportation accident investigation. The NTSB's 2-week Aviation Accident Investigation Course is a prime example of this type of focused education, with instruction in subjects such as material failure analysis, in-flight breakups, recorded radar data, crashworthiness, and pre- and post-impact fires. In addition, as part of my undergraduate education I completed courses in physics, chemistry, math, technology, and meteorology, which have proven to be useful in some of the technical areas of the NTSB's work.

Question. 2. Is there a particular area within the NTSB's jurisdiction in which you would wish to concentrate your attention?

Answer. No. I would hope to devote equal attention to all of the areas within the NTSB's jurisdiction.

Question 3. What do you believe are the major problem areas in transportation safety, or those most in need of attention?

Answer. One merely needs to look at the NTSB's preliminary transportation fatality statistics for 1990 to appreciate where this country's major problem area in transportation safety is to be found: total highway fatalities, 44,450; fatalities in all other modes (aviation, marine, rail, pipeline), 2,403.

Within the area of highway safety, the problem areas that are most in need of attention are: drivers impaired by alcohol and/or drugs; driver fatigue; seatbelt usage. The NTSB currently has placed safety recommendations directed at each of these problem areas on the Board's "most wanted" list of transportation safety improvements.

Question 4. What do you consider your chief accomplishments in the time you have spent at the NTSB as a staff member?

Answer. My chief accomplishments have been in discharging my day-to-day duties as Special Assistant in a manner consistent with the NTSB's mission and in maintaining an excellent working relationship with the staff of the NTSB.

Question 5. The investigation of the December 12 AMTRAK accident in Boston was delayed and potentially compromised because of difficulty in retrieving event recorders, as well as the loss of data from the recorders. Do you believe there is a problem in this area, and if so, do you have any recommendations for addressing it?

Answer. On March 27, 1991, AMTRAK informed the NTSB staff that they had instituted new procedures which should eliminate the problems experienced in the December 12, 1990, accident in Boston. AMTRAK now requires that event recorders be immediately turned over to either the NTSB or the Federal Railroad Administration (FRA) investigators following an accident. However, the NTSB has experienced similar problems on several other recent accidents and there is a safety need for all railroads to turn over event recorders immediately to the NTSB investigators following an accident to prevent mishandling. The NTSB may consider a change to its regulations requiring railroads to immediately turn over even recorders to NTSB investigators following an accident. There is an additional problem. The FRA has yet to require event recorders on locomotives as required by the Rail Safety Improvement Act of 1988. Thus, in many accidents, locomotives are not equipped with event recorders and vital information regarding the cause of the accident cannot be reconstructed.

Question 6. What do you believe are the top safety priorities in the aviation area? Have you participated in the investigation of the Los Angeles crash in February of this year and the Detroit accident last year? Have formed any opinions on the safety issues raised by those accidents and, if so, what are they?

Answer. I believe that the top safety priorities in the aviation area are: (1) Collision prevention, both on the airport surface and in the air; (2) human factors issues; and (3) assuring that the aging commercial transport aircraft are airworthy.

I participated in the initial response of the NTSB'S go-team to the February 1, 1991, ground collision between a USAIR, Inc. Boeing 737 and a Skywest Airlines, Inc. SW3 at Los Angeles International Airport (LAX), and was on-scene for 10 days. The safety issues raised by this accident are: (1) Aircraft exterior lighting and conspicuity; (2) pilot situational awareness during takeoff, landing, and operations on airport surfaces; (3) air traffic management and equipment at LAX; (4) air traffic controller workload, performance, and supervision; (5) air traffic controller selection, training, and promotion criteria; (6) air transport airplane survivability; and (7) self-medication of pilots.

I believe that two key questions arising from this accident are: (1) What type of backup system, or systems, need to be implemented which will ensure that the safety of planeloads of people is not dependent on the memory of a single air traffic controller? and (2) why were 18 passengers aboard the USAIR 737 who were able to get up out of their seats, not able to safety evacuate the aircraft?

I participated in the public hearing phase of the NTSB's investigation of the December 3, 1990, ground collision between a Northwest Airlines, Inc. Boeing 727 and a Northwest Airlines, Inc. DC–9 at Detroit Metropolitan Wayne County Airport. The public hearing was held in Detroit, MI, from March 18 to 22, 1991. We discovered that the accident involved much more than a flight crew accidentally wandering onto an active runway. Tower controller procedures and airport surface markings and lighting may also have contributed to the runway incursion.

Senator FORD. I have very few questions. Just one, as it relates to conflict of interest. Apparently, you have checked with the Office of Government Ethics and the National Transportation Safety Board General Counsel and they have reviewed your financial statement.

They have recommended, as I understand it, and you have agreed to recuse yourself in at least three places. I am not sure I know how to pronounce these names, Plessey, P-l-e-s-s-e-y, Co.?

Mr. HAMMERSCHMIDT. That was a stock holding that I had. I sold that over a year ago.

Senator FORD. Alright. You are divesting yourself of your remaining stock of Presidio?

Mr. HAMMERSCHMIDT. Presidio Oil Co.

Senator FORD. Presidio?

Mr. HAMMERSCHMIDT. Yes, sir.

Senator FORD. That's a Kentucky pronunciation.

Mr. HAMMERSCHMIDT. Oh, I see. [Laughter.]

Well, I have also sold my stock in that company as well.

Senator FORD. And you have resigned your position as an officer in the Hammerschmidt Lumber Co.?

Mr. HAMMERSCHMIDT. Yes, sir. I resigned as of last month.

Senator FORD. Well, you stayed right up to the bitter end, didn't you? [Laughter.]

Mr. HAMMERSCHMIDT. Yes, sir.

Senator FORD. How has your experience serving as a member of the staff of the National Transportation Safety Board prepared you to be a member of the Board, and are there areas where you believe additional resources might be necessary?

Mr. HAMMERSCHMIDT. I believe that it has enabled me to do most of the functions that a member of the Safety Board actually does, except in a support role.

In other words, I have responded to the accident sites, when we have been on duty to do so, with the Board Member and with the go-team. I have attended the public hearings along with the Board Member. I have briefed the Board Member as best I could during the preparatory stage of those public hearings and also at those public hearings. I have reviewed the reports that come to the Board Members and also the correspondence that comes to the Board Members' offices over the course of about 6 years.

So, I feel I have a very good grasp of the duties and an understanding of what I would be doing. I am quite excited at the prospect of serving as a Board Member.

In terms of resources, I am not clear as to whether you mean my personal resources or the resources at the Board?

Senator FORD. Well, both.

Mr. HAMMERSCHMIDT. Both.

Senator FORD. And any additional resources. For instance, for investigating, should you have more equipment or more things in hand that you can use? What kind of recommendations for all of the areas of the Board as it relates to investigations do you think you might need?

Mr. HAMMERSCHMIDT. Well, the Safety Board, since I have been there, has always been short on resources in order to accomplish our mission. We have had to cut back in recent years on selected

investigations in the field of general aviation because we, quite frankly, did not have the number of qualified personnel to handle all of the investigations. Therefore, I would see an important area for additional resources as more being investigators, more investigative staff.

In terms of equipment I think that, by and large, we have had the resources that we have needed to do what is necessary. We have been short on physical space in some areas. In particular, our laboratory has needed much more room to house large parts, for instance, which it now does not have. We are anticipating a move to a new location which will remedy that problem. But I would say that the key area of resource need would be in the areas of more investigative staff.

Senator FORD. Do you believe that your safety recommendations should be mandatory?

Mr. HAMMERSCHMIDT. No, sir. I believe that the way our statutory mandate is configured with our recommendations being simply advisory is probably the best route to go. Because if we start mandating our recommendations, then we would, I think, have a vested interest in those recommendations per se. I think we would lose some of our objectivity that we gain by only having advisory recommendations.

Senator FORD. Do you see any areas in the aviation arena which you believe the FAA needs to address through increased regulations?

Mr. HAMMERSCHMIDT. Well, I would say that we have some recommendations to the FAA that are, you might say, outstanding at the moment in a whole host of areas. The Safety Board would like to see those be implemented, and that would sometimes be through increased regulations.

For instance, in the area of preventing runway incursions, we have asked FAA to do certain things that they are still deliberating as to doing. One specific example of that would be to require complete read backs of clearances by flight crews on runways, to cross runways, to take the active runway for takeoffs. We think that they should read back the entire clearance to the air traffic controller. The FAA is resisting that recommendation, just by way of one example.

Senator FORD. Your response to prehearing questions suggest that highway safety is a major problem area in need of attention. What measures would you suggest to reduce the number of fatalities on our Nation's highways?

Mr. HAMMERSCHMIDT. I believe that I would agree with the Safety Board's view that the one measure that the States could take that would be the greatest help in reducing highway fatalities would be the adoption of administrative license revocation laws. Many States have done that. I believe at this point there are 21 States that have yet to do it. That would be, I think, the key measure to be taken.

I think that there are many areas that we are currently looking at in heavy truck safety that would have a lot of potential for saving lives on the highways. For instance, in the maintenance areas we are doing some brake performance studies that are showing that many of the heavy commercial vehicles have a majority of

their brakes out of adjustment. Those vehicles have to be pulled out of service. So, I think there are measures in the maintenance area of highway safety that can be addressed. We are currently reviewing that.

Senator FORD. Senator Pressler.

Senator PRESSLER. Yes, I noticed that question 5 states that the investigation of the December 12 AMTRAK accident in Boston was delayed because of difficulty in retrieving the event recorders. I know that AMTRAK now says that they have a new system; could you expand a little on that. Is there a way we can avoid that from happening in other accidents?

Mr. HAMMERSCHMIDT. The Safety Board is very concerned about railroads not turning over the event recorders immediately to our investigators.

Senator PRESSLER. Was there any kind of action you could have taken against the railroad for not doing that?

Mr. HAMMERSCHMIDT. Our rules, as of today, do not allow for that, but we are in the process of developing a rule which will allow us to take action toward a railroad for corrective measures; I believe that there is proposed legislation which is geared to correct this problem.

Senator PRESSLER. In terms of the overall safety of our passenger trains, is there anything more that you would recommend in terms of drug testing, alcohol testing, or are there conclusions that you have reached about safety?

Mr. HAMMERSCHMIDT. I would say that in the field of drug and alcohol testing as it pertains to railroad safety that we have some good rules already in place. I think they are working well. I think they are the type of drug testing laws that enabled us to determine how drug use contributed to the cause of the AMTRAK accident at Chase, MD, in 1987.

I believe that if the Hollings-Danforth legislation, which is also cosponsored by 23 Senators, for drug and alcohol testing is enacted into law, then that would be a further good step in improving transportation safety.

Senator PRESSLER. In the area of aviation, how much clutter do small planes make at our airports? We really have a congested system at National Airport, and also in Minneapolis and Chicago. How much safer would our airlines be if we substantially reduced the number of those planes carrying one, two, three, or four passengers?

Mr. HAMMERSCHMIDT. Senator, that is an area that I have not analyzed before. I am not sure that I can give you a good answer on that.

Senator PRESSLER. OK. If you were able to hire a different type of people in the agency, would you hire more business administration majors—if you had unlimited funds so to speak? Is the pay level a problem in terms of attracting people or is it budgetary limits?

Mr. HAMMERSCHMIDT. It's mainly the budgetary limits. That is my understanding. But we have lost over the time that I have been at the Safety Board, the last 6 years, a lot of our finest people to related agencies such as NASA and the Federal Aviation Adminis-

tration, because they could offer those people better salary levels. And that, of course, is part of the overall budgetary constraint.

It's been a frustration not to be able to do certain accidents because you do not have enough people to do them, or not to be able to devote enough attention to a given accident because all of your people are working on other major accidents at that point in time.

Senator PRESSLER. In situations where you send a team out quickly to investigate a crash, how do you get them together if it happens on Saturday? Obviously there's a team on alert. Do you have to pay overtime; what are the rules?

Mr. HAMMERSCHMIDT. Well, we operate on the basis of having a go-team whose members are always aware that they may be called out to respond to an accident. Everyone is aware that they are on 24-hour alert. We have go-teams in aviation and in the surface modes. In the field of aviation, for example, there would be a Board Member and that Board Member's Special Assistant who would know that they would be going out with the go-team in the event of a major accident, along with a public affairs person. Forming the core of the team would be a group of experts in a variety of specialty areas.

In aviation there would typically be a powerplants specialist, an operations specialist, a systems specialist, a weather specialist, an air traffic control specialist, et cetera. If the accident were to occur at night, on a weekend, or on a holiday, then there would be a Safety Board duty officer who would coordinate the notification for all of those people. They would get to the accident site either by all gathering at National Airport and going on one of the FAA's aircraft, which are made available to the Safety Board for those types of situations, or oftentimes all or part of the team goes commercially, depending on the circumstances.

Senator PRESSLER. Good. Well, thank you very much. You certainly have my support. I wish you well.

Mr. HAMMERSCHMIDT. Thank you, Senator.

Senator FORD. You have heard the statement from Senator Pressler. This subcommittee will recommend to the full committee that they expedite your nomination.

This hearing is adjourned.

[Whereupon, at 3:10 p.m., the hearing was adjourned.]

O